

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Mary Souther

Plaintiff,

v.

New Hampshire Department of Revenue
Administration

Defendant.

Case No.: 07-CV-0053-PB
JURY TRIAL DEMANDED

MOTION TO AMEND COMPLAINT

NOW COMES plaintiff Mary Souther, through counsel Ransmeier & Spellman, Professional Corporation, and moves to amend her Complaint, and says as follows:

1. Ms. Souther filed a timely Complaint with this Court to commence her suit against the State of New Hampshire Department of Revenue.
2. Ms. Souther's Complaint did not include a request for reinstatement to her position in her prayers for relief.
3. Reinstatement is proper relief under the A.D.A. and a remedy which Ms. Souther is entitled to seek against the State.
4. Accordingly, Ms. Souther requests that this Court, pursuant to F.R.C.P. 15(a), allow her to amend her Complaint to include a prayer for reinstatement.
5. There is no prejudice to either party or to the Court in allowing Ms. Souther to amend her Complaint.

WHEREFORE, Ms. Souther respectfully requests that this Court:

- A. Allow her to amend her Complaint to include a prayer for reinstatement.

B. Order such further relief as is proper and just.

Respectfully submitted,

MARY SOUTHER

By Her Attorneys,
RANSMEIER & SPELLMAN
PROFESSIONAL CORPORATION

Dated: May 8, 2007

By: /s/ Marie M. McPartlin
Marie M. McPartlin (NHBA
#14581)
One Capitol Street,
P.O. Box 600
Concord, NH 03302-0600
Tel. (603) 228-0477

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded this day via ECF to Nancy Smith, Esquire.

/s/ Marie M. McPartlin
Marie M. McPartlin

RULE 7.1(c) CERTIFICATE

I, Marie M. McPartlin, certify that Nancy Smith, counsel for the D.R.A. does not assent to the relief sought herein.

/s/ Marie M. McPartlin
Marie M. McPartlin